

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOED VALENTIN-MORALES,

Petitioner,

v.

VINCENT MOONEY, et al.,

Respondents.

CASE NO. 13-cv-3271

ORDER

AND NOW, this 11th day of February, 2015, upon careful consideration of Joed Valentin-Morales's petition under 28 U.S.C. § 2254 for a writ of habeas corpus (Doc. No. 1), his memorandum of law in support, the Commonwealth's response, petitioner's traverse, the Magistrate Judge's report and recommendation, petitioner's objections, the Commonwealth's supplemental briefing, and petitioner's response, **IT IS HEREBY ORDERED** that:

1. Petitioner's objections are overruled as to Claim III (ineffective assistance of counsel for failing to communicate the Commonwealth's plea offer). Claim III of the petition is **DENIED**.
2. The petition having failed to make a substantial showing of the denial of a constitutional right, there is no ground to issue a certificate of appealability.
3. The clerk shall mark this case **CLOSED** for statistical purposes.

/s/ William H. Yohn Jr.
William H. Yohn Jr., Judge